

**DELEGATION OF AUTHORITY
SOLID WASTE DISPOSAL ACT (SWDA)**

Inspections and Information Gathering (Subtitle I)

1. **AUTHORITY.** Pursuant to Subtitle I of the Solid Waste Disposal Act (SWDA), as amended, including Section 9005:
 - a. To enter and inspect any establishment or other place where an underground storage tank (or any tank subject to study under Subtitle I that is used for storing regulated substances) is located; to inspect and have access to and copy all records relating to such tanks; to conduct monitoring and testing of such tanks, associated equipment, contents, or surrounding soils, air, surface water or ground water; and to inspect and obtain samples of any regulated substances contained in such tanks.
 - b. To issue an information request to the owner or operator of any establishment or other place where an underground storage tank (or any tank subject to study under Subtitle I that is used for storing regulated substances) is located to furnish information relating to such tanks, their associated equipment and contents and to conduct monitoring and testing.
 - c. To obtain and execute warrants for the purposes of performing inspections, information gathering, monitoring and testing.
 - d. To carry out any other inspection and information gathering activities authorized by Subtitle I of the SWDA.
 - e. To require the carrying out of any other inspection and information gathering activities authorized by Subtitle I of the SWDA.
 - f. To designate representatives of the Administrator to perform the functions specified in paragraphs 1.a, 1.b, 1.c, 1.d and 1.e.
2. **TO WHOM REDELEGATED.**
 - a. The authorities in 1.a. and 1.d. are redelegated through the Director, Enforcement and Compliance Assurance Division, or equivalent, and through the Branch Chief, Water Enforcement and Field Branch, or equivalent, and through the Section Chief, Field, Data, and Drinking Water Enforcement Section, or equivalent, to inspectors and compliance officers.
 - b. The authority in 1.b., 1.c., and 1.f. is redelegated to the Director, Enforcement and Compliance Assurance Division, or equivalent.
 - c. The authority in 1.e. is redelegated through the Director, Enforcement and Compliance Assurance Division, or equivalent, to the Branch Chief, Water Enforcement and Field Branch, or equivalent.
3. **LIMITATIONS.**
 - a. The AA for OECA and the AA for OLEM must notify the regional administrator, division director, branch chief, or section chief prior to exercising any of the authorities in 1.a, 1.b, 1.c, 1.d, and 1.e, except in the case of nationally managed programs.

- b. The regional administrator, division director, branch chief, or section chief must consult with the regional counsel, or equivalent, prior to requesting warrants.

4. REDELEGATION AUTHORITY.

- a. The authority in 1.a., 1.b., the execution of warrants under 1.c., and 1.d. may be redelegated to the staff level.
- b. The authority to authorize obtainment of warrants under 1.c., 1.e., and 1.f. may be redelegated to the branch chief level, or equivalent, and no further.
- c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. SUPERSESSION. This delegation supersedes R10 8-24 (06/26/2017) and any other delegation of the same authority.

6. ADDITIONAL REFERENCES.

- a. Section 9005 of the SWDA.
- b. U.S. Environmental Protection Agency Order 3510, "EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities."
- c. EPA Delegation 8-24.

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Date



Chris Hladick
Regional Administrator